

**AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR CRIMINAL COMPLAINT**

I, Jonathan A. Duquette, being first duly sworn, hereby state as follows:

**INTRODUCTION AND INVESTIGATOR BACKGROUND**

1. I make this affidavit in support of an application for a criminal complaint charging Gregory Kelly with transmitting an extortionate threat, in violation of 18 U.S.C. § 875(b); and transmitting a threatening interstate communication, in violation of 18 U.S.C. § 875(c).

2. I am a Task Force Officer with the Federal Bureau of Investigation (FBI). I have been in this position since June 2015, and I have been a Task Force Officer in FBI's Boston Division since January 2018. I am also a Border Patrol Agent with the U.S. Border Patrol and have been in this position since December 2009. In my career, I have utilized various investigative tools and techniques, to include the use of search warrants.

3. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for federal criminal offenses.

4. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint. The facts set forth in this affidavit are based upon my personal knowledge, information obtained during my participation in this investigation including information provided by other investigators, my review of documents and computer records related to this investigation, and information gained through my training and experience.

### **PROBABLE CAUSE**

5. On January 19, 2023, I swore out a criminal complaint charging Gregory Kelly with transmitting a threatening interstate communication, in violation of 18 U.S.C. § 875(c); and transmitting a threatening communication with intent to extort, in violation of 18 U.S.C. § 875(b). A copy of my affidavit submitted in support of the complaint is attached as Exhibit 1.

6. I have reviewed my complaint affidavit and I attest to the continued truth and accuracy of the facts stated in the affidavit.

7. Kelly was arrested on the criminal complaint on January 26, 2023. The parties began exploring the possibility of resolving the matter without the need for an indictment.

8. On November 20, 2023, the government filed a motion for leave to dismiss the complaint without prejudice, noting that the parties had entered into a pretrial diversion agreement. The Court granted the government's motion on November 21, 2023. The government filed a notice of dismissal on November 27, 2023.

9. Based on information provided to me by the U.S. Attorney's Office, it is my understanding that Kelly failed to comply with the terms of his pretrial diversion agreement, and that as a result the government has decided to pursue the charges contained in the January 19, 2023 criminal complaint.

### **CONCLUSION**

10. Based on the foregoing, I submit that probable cause exists to believe that on September 25, 2022, Gregory Kelly knowingly and with intent to extort money from K.P. and C.W. transmitted in interstate commerce a threat to injure K.P. and C.W., in violation of 18 U.S.C. § 875(b). I further submit that probable cause also exists to believe

that on September 25, 2022, Kelly knowingly and willfully transmitted in interstate commerce a communication containing a threat to injure K.P. and C.W., in violation of 18 U.S.C. § 875(c). I respectfully request that the Court issue a criminal complaint charging him with these offenses.

Dated at Portland, Maine this 12th day of April, 2025.

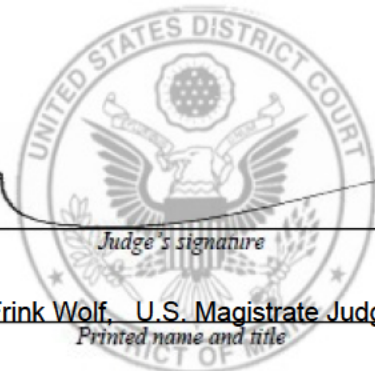


Jonathan A. Duquette  
Task Force Officer  
Federal Bureau of Investigation

Sworn to telephonically and signed  
electronically in accordance with the  
requirements of Rule 4.1 of the Federal Rules  
of Criminal Procedures

Date: Apr 12 2025

City and state: Portland, Maine



*Judge's signature*

Karen Frink Wolf, U.S. Magistrate Judge  
*Printed name and title*